REMARKS

The foregoing amendments amend claim 1, and add new claims 23-25. Pending in the application are claims 1-4 and 23-25, of which claims 1 and 25 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claim Amendments

Applicants amend claim 1 to clarify the scope of the claimed invention. In particular, claim 1 is amended to recite that the oxidant gas inlet and the oxidant gas outlet are provided in a first lateral side (e.g., a left side) of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a second lateral side (e.g., a right side) of the cathode side separator opposite the first lateral side of the cathode side separator. Support for the claim amendments can be found in Figs. 1-4 and corresponding descriptions in the Specification. No new matter is added.

Claim Rejections - 35 U.S.C. §102

Claims 1-4 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,599,651 ("Saitou"). Applicants respectfully traverse the rejection for the following reasons.

Applicants respectfully submit that the cited prior art reference fails to disclose each and every element of the claimed invention. Applicants submit that Saitou fails to disclose that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* of the cathode side separator opposite the first lateral side of the cathode side separator, as recited in claim 1.

The Examiner notes in the Office Action that the oxidant inlet and outlets are located on the side facing the electrolyte on the fuel separator plate, and that the respective inlet/outlet of

each of the oxidant and fuel separator plates are opposite to one another with respect to their locations across the electrolyte.

Amended claim 1 recites that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* (e.g., a left side) of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* (e.g., a right side) of the cathode side separator opposite the first lateral side of the cathode side separator. The lateral sides of the cathode side separator are not the side of cathode side separator that faces the electrolyte in a width direction.

In the Specification of the pending application, it is described that a plurality of grooves (18) are provided on the cathode side separator (10) and extend linearly in the *lateral* direction. (*See* Specification, page 11, lines 1-4). It is also described that a plurality of grooves (26) are provided on the anode side separator (11) and extend linearly in a *lateral* direction. (*See* Specification, page 16, lines 1-5). Therefore, the lateral sides of the cathode side separator are different from the side of the cathode side separator that faces the electrolyte in a width direction.

Saitou discloses that an air introduction port (42) and a fuel gas introduction port (43) are provided in one corner of the separator, and that the air discharging port (44) and the fuel gas discharging port (45) are provided at the side opposing the induction ports. Saitou, however, does not disclose that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* of the cathode side separator opposite the first lateral side of the cathode side separator, as recited in claim 1.

In light of the foregoing claim amendments and arguments, Applicants submit that Saitou fails to disclose each and every element of claim 1. Applicants therefore request the Examiner reconsider and withdraw the rejection of claims 1-4 under 35 U.S.C. §102(e), and pass the claims to allowance.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2 and 4 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,528,196 ("Fujii") or U.S. Patent Number 6,566,001 ("Yosida"). Applicants respectfully traverse the rejection for the following reasons.

Applicants respectfully submit that the cited prior art reference fails to disclose each and every element of the claimed invention. Applicants submit that Fujii or Yosida fails to disclose that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* of the cathode side separator opposite the first lateral side of the cathode side separator, as recited in claim 1.

Fujii discloses that the inlet and the outlet of the gas channel are formed on opposite sides. Fujii, however, does not disclose that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* of the cathode side separator opposite the first lateral side of the cathode side separator, as recited in claim 1.

Yosida discloses a gas channel having an inlet and an outlet formed on opposite sides of a separator. Yosida, however, does not disclose that the oxidant gas inlet and the oxidant gas outlet are provided in a *first lateral side* of the cathode side separator, and the fuel gas inlet and the fuel gas outlet are provided in a *second lateral side* of the cathode side separator opposite the first lateral side of the cathode side separator, as recited in claim 1.

In light of the foregoing claim amendments and arguments, Applicants submit that Fujii or Yosida fails to disclose each and every element of claim 1. Applicants therefore request the Examiner reconsider and withdraw the rejection of claims 1, 2 and 4 under 35 U.S.C. §102(e), and pass the claims to allowance.

New Claim

New claims 23 and 24 depend upon claim 1 and add to claim 1 separately patentable limitations. Applicants believe that new claims 23 and 24 are in condition for allowance.

New independent claim 25 recites a fuel cell including a pair of separators that clamp a membrane electrode assembly. Claim 25 also recites that the oxidant gas inlet and the oxidant gas outlet are provided in a first lateral end of one of the separators, and the fuel gas inlet and the fuel gas outlet are provided in a second lateral end of the separator opposite the first lateral end, such that the gas inlets and the gas outlets are formed on the same face of the separator. In light of the foregoing arguments, Applicants submit that new claim 25 is patentably distinct over the cited prior art reference.

Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If, however, the Examiner considers that obstacles to allowance of these claims persist, we invite a telephone call to Applicant's representative.

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Respectfully submitted,

By _____

Anthony A. Laurentano
Registration No.: 38,220
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant